

# MAINE STATE LEGISLATURE

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# 120th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2001

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Legislative Document

No. 1617

H.P. 1195

House of Representatives, March 13, 2001

**An Act to Provide Quality of Life Assurances for Maine's Most Vulnerable Citizens.**

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Reference to the Committee on Health and Human Services suggested and ordered printed.

*Millicent M. MacFarland*

MILLICENT M. MacFARLAND, Clerk

Presented by Representative MENDROS of Lewiston.

Cosponsored by Representatives: CRESSEY of Baldwin, MARLEY of Portland, MICHAEL of Auburn, TWOMEY of Biddeford, Senators: DAVIS of Piscataquis, SAWYER of Penobscot, SHOREY of Washington.

**Be it enacted by the People of the State of Maine as follows:**

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**Sec. 1. Rulemaking required.** The Department of Human Services shall adopt rules amending the principles of reimbursement for nursing and residential care facilities to increase the amount of income that may be retained by a resident of a facility. The amount that may be retained by a resident of a facility must be increased annually by the percentage change in the Consumer Price Index for the most recently concluded fiscal year. Rules adopted pursuant to this Act are routine technical rules as defined by the Maine Revised Statutes, Title 5, chapter 375, subchapter II-A.

**Sec. 2. Funding.** Notwithstanding the provisions of the Maine Revised Statutes, Title 3, section 2, on December 1st of each year, the Treasurer of State shall transfer funds from the legislative budget for legislative cost-of-living salary increases under Title 3, section 2 to the budget of the Department of Human Services in the amount necessary to fully fund the purposes of section one when the increase received by the residents is not equal to the cost-of-living increase in that year.

**SUMMARY**

This bill requires the Department of Human Services to adopt rules increasing the amount of income that may be retained by residents of nursing and residential care facilities. This bill funds the increase by funds that would otherwise go to legislative cost-of-living salary adjustments.